

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 BIB-01 SAJ-01 DHA-02 CIAE-00 DODE-00

PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

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FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 2179

INFO AMCONSUL LENINGRAD

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E.O. 11652: NA

TAGS: PINT, UR

SUBJECT: TVERDOKHLEBOV TRIAL POSTPONED AGAIN

REF: MOSCOW 5044

1. SUMMARY. THE TVERDOKHLEBOV TRIAL, RESCHEDULED FOR APRIL 6, WAS POSTPONED AGAIN "BECAUSE THE JUDGE WAS SICK." END SUMMARY.

2. EMBOFF ARRIVED AT COURTHOUSE AT 0800 FOR TVERDOKHLEBOV TRIAL, WHICH WAS DUE TO BEGIN AT 0900, TO FIND ABOUT FIVE PEOPLE SHIVERING OUTSIDE LOCKED COURTHOUSE DOOR. LYUBLINO RAYON COURT IS LOCATED IN A REMOTE INDUSTRIAL AREA OF MOSCOW ACROSS RAILROAD TRACKS AND NEXT TO A LUMBER YARD ON A STREET UNMARKED AND UNLISTED ON MOST MOSCOW CITY MAPS. BY 0900, WHEN CROWD GREW TO ABOUT FIFTY, THE FRONT DOOR WAS OPENED AND THE PUBLIC ADMITTED TO ENTRANCE LOBBY, BUT NOT PAST A SECOND DOOR. THE DEFENSE ATTORNEY ARRIVED AT 0910 AND WENT IN, AND AT ABOUT 0930 T HE WITNESSES WERE ADMITTED INSIDE. AT 1015 IT WAS ANNOUNCED THAT THE TRIAL WOULD NOT BE HELD BECAUSE "THE JUDGE WAS SICK."

3. THERE WAS NO EVIDENCE THAT TVERDOKHLEBOV WAS IN THE BUILDING. THE ABSENCE OF OFFICIALS, MILITIA, OR SECURITY
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ARRANGEMENTS CAUSED THOSE PRESENT TO WONDER WHETHER THE

AUTHORITIES REALLY PLANNED TO HOLD THE TRIAL AT THAT TIME AND PLACE. THERE WAS NO ANNOUNCEMENT OF A NEW DATE, AND THOSE FAMILIAR WITH EARLIER DISSIDENT TRIALS SPECULATED THAT IT WAS LIKELY TO BE HELD ON VERY SHORT NOTICE.

4. THE DISSIDENT COMMUNITY WAS WELL REPRESENTED AMONG THOSE PRESENT. EVERYBODY OBVIOUSLY KNEW EACH OTHER WELL, WITH THE EXCEPTION OF SEVERAL WESTERN JOURNALISTS AND THREE OR FOUR INDIVIDUALS WHO TRIED TO LOOK INCONSPICUOUS WHILE EAVESDROPPING ON CONVERSATIONS. TVERDOKHLEBOV'S MOTHER, SISTER, AND EX-WIFE WERE PRESENT, AS WELL AS SAKHAROV'S SON-IN-LAW.

5. SAKHAROV HIMSELF WAS IN OMSK FOR THE TRIAL OF MUSTAFA DZHEMILOV, THE CRIMEAN TARTAR ACTIVIST. THAT TRIAL, TOO, APPARENTLY STRUCK A WELL-PLANTED SNAG. ACCORDING TO A STORY CIRCULATING IN THE CROWD, DZHEMILOV'S LAWYER WAS OFFICIALLY INFORMED THAT THE TRIAL WAS POSTPONED AND THEREFORE IT WOULD NOT BE NECESSARY FOR HIM TO COME TO OMSK. YET UPON HIS ARRIVAL IN OMSK, SAKHAROV WAS TOLD THAT THE TRIAL COULD NOT BE HELD AS SCHEDULED BECUASE DZHEMILOV'S LAWYER FAILED TO SHOW UP.

6. COMMENT. THE CAT-AND-MOUSE TACTICS EMPLOYED IN MOSCOW, AS IN OMSK, APPEAR CALCULATED TO DISTRACT, CONFUSE, AND TIRE OUT THOSE DETERMINED TO BE PRESENT, SO THAT THE TRIALS CAN AT SOME LATER DATE BE HELD SUDDENLY, WHEN NO ONE IS WATCHING. STOESSEL

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